

1 BILL NO. G-87-07-15

2 GENERAL ORDINANCE NO. G-17-87

3 AN ORDINANCE amending the Thoroughfare
4 Plan of the City Comprehensive ("Master")
5 Plan by vacating a dedicated utility easement.

6 WHEREAS, a petition to vacate a dedicated utility
7 easement within the City of Fort Wayne (as more specifically
8 described below) was duly filed with the City Planning
9 Commission; and

10 WHEREAS, said Commission duly held a public hearing
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its
13 recommendation to this body approving said petition, all in
14 accordance with I.C. 36-7-4-512(2) and this body having held
15 a public hearing on said vacation as provided in I.C. 36-7-
16 4-12; and

17 WHEREAS, this body concurs in the recommendation of the
18 City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate a
22 dedicated utility easement within the City of Fort Wayne,
23 more specifically described as follows, to-wit:

24 A 14-foot wide strip in Section 20, Township 31 North,
25 Range 13 East, in Allen County, Indiana, with a
26 centerline described as follows:

27 Commencing at the Southwest corner of Northeast Quarter
28 of Northwest Quarter of the Northwest Quarter of
29 Section 20, Township 31 North, Range 13 East; thence
30 North and along North-South centerline of Northwest
31 Quarter of the Northwest Quarter a distance of 80.1
32 feet to a point, said point being the Place of
Beginning of this described easement; thence North 56
degrees 30 minutes West, a distance of 261.5 feet to a
point; thence North 54 degrees 15 minutes West, a
distance of 291.7 feet to a point; said point is being
the Place of Ending of this described easement.

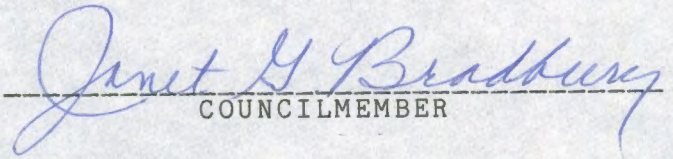
31 ALSO: A 14-foot wide utility easement in the Northwest
32 Quarter of the Northwest Quarter of Section 20,
Township 31 North, Range 13 East, Allen County, Indiana

with a centerline described as follows:

Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 66 degrees 13 minutes East, 252.0 feet to a point; thence South 43 degrees 03 minutes East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

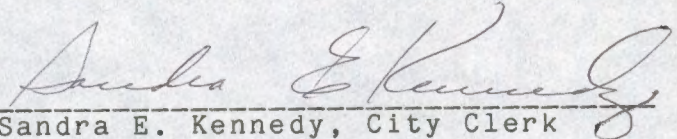
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

** Public hearing to be held on Tuesday,
the 22nd day of September, 1987,
in the Council Chambers.


Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Bradbury
seconded by Gia, and duly adopted, read the second ti
by title and referred to the Committee Regulation (and the C
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wa
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M.,

DATE: 7-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury
seconded by Eisbart, and duly adopted, placed on it
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 9-22-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. B-17-87
on the 29th day of September, 1987

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana
on the 23rd day of September, 1987
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 23rd day of September
1987, at the hour of 3:00 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

R E S O L U T I O N

WHEREAS, NEIL KOBI AND SABAH AL SAUD, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

A 14-foot wide strip in Section 20, Township 31 North, Range 13 East, in Allen County, Indiana, with a centerline described as follows:

Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.

ALSO: A 14-foot wide utility easement in the Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana with a centerline described as follows:

Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 66 degrees 13 minutes East, 252.0 feet to a point; thence South 43 degrees 03 minutes East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on July 20, 1987, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

DATED THIS 27 DAY OF July 1987

Robert Hutner
Robert Hutner, Secretary

RESOLUTION

77-145-4

WHEREAS, NEIL KOBI AND SABAH AL SAUD, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

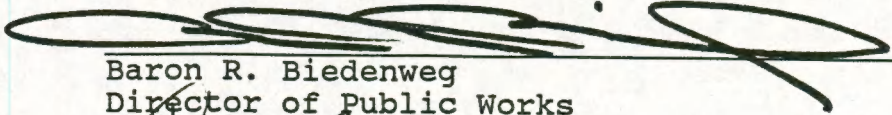
I, Baron R. Bidenweg, Director of the

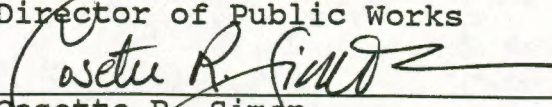
Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held

August 5, 1987 and as same appears of record in the official records of the Board of Public Works

DATED THIS 5th DAY OF August 1987

FORT WAYNE BOARD OF PUBLIC WORKS


Baron R. Biedenweg
Director of Public Works


Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Director of Public Safety

AUTHORIZATION FOR RIGHT-OF-ENTRY
FOR INSTALLATION OF SANITARY SEWERS

OWNER(S): Summit City Investments
3428 St. Joe Center Road
Fort Wayne, IN 46815

PROJECT: "St. Joe Road Pump Station
Elimination
Resolution 402-1985

Owner(s) of the following described space: The West 368.2 of the East 576.9' of the North 596.8' of West One Half of Northwest Quarter; except the West 150' of the East 180' of the North 170' in Section 20, Township 31 North, Range 13 East, Allen County, Indiana, also spaced described by Warranty Deed, Recording #83-024813 in the Recorder's Office of Allen County.

THIS INDENTURE WITNESSETH, THAT: the above said property owner(s) grant a temporary right-of-entry to the City of Fort Wayne, County of Allen, State of Indiana, for the purposes of necessary construction in accordance with the plans and specifications set forth on:

"St. Joe Road Pump Station Elimination" Sanitary Sewer Improvement in accordance with drawing #SY-11127 adopted 18 September 1985 by the Board of Public Works & Safety under Resolution 402-1984.

Said Temporary right-of-entry is also subject to the following conditions:

The above stated right-of-entry area shall be restored to its original, or better, condition upon completion of project. Any article in this area threatened by possible destruction, will either be replaced or moved to a new reasonable location with no cost to the property owner.

This right-of-entry document will become void upon final acceptance of said project by the City of Fort Wayne through its Board of Public Works & Safety.

This letter is authorization and permission for the City of Fort Wayne's contractor, for the project designated above, to enter upon said real estate for all necessary construction purposes.

It is further understood and agreed upon by the owner(s) that following construction and installation of the sanitary sewer system across the owners land, they will grant a minimum of 20-foot-in-width permanent easement centerline over the top of the proposed sanitary sewer, **subject to the following:**

1. All new sanitary sewer construction is to remain South of the ditch.
2. The City will vacate all existing sanitary sewer easements North of the ditch within the above-described space.
3. The city will collapse existing above ground sanitary sewer structures and cover same with spoil.

Dated 2-19-86

OWNER(S)

By

Neil H. Kobi
Neil H. Kobi

By

Sabah Al Saud
Sabah Al Saud

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared **Neil H. Kobi and Sabah Al Saud**, who acknowledged the execution of the foregoing Right-of-Entry as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 19th day of February, 1986.

Sherril L. Reecht
Notary Public Sherril L. Reecht
Resident of Stauben County

My Commission Expires:

March 7, 1988

VACATION ORDINANCE

PETITION TO VACATE PORTION OF DEDICATED UTILITY EASEMENT

TO: **The City Plan Commission**
City of Fort Wayne, Indiana

The undersigned Petitioners, do hereby respectfully petition for Fort Wayne City Plan Commission to vacate the following dedicated utility easement within the City of Fort Wayne, Indiana, and hereby described as follows:

A 14-foot wide strip in Section 20, Township 31 North, Range 13 East, in Allen County, Indiana, with a centerline described as follows:

Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North $56^{\circ}30'$ West, a distance of 261.5' to a point; thence North $54^{\circ}15'$ West, a distance of 291.7' to a point; said point is being the Place of Ending of this described easement.

ALSO: A 14-foot wide utility easement in the Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana with a centerline described as follows:

Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South $66^{\circ}13'$ East, 252.0 feet to a point; thence South $43^{\circ}03'$ East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.

The City of Fort Wayne, through its St. Joe Pump Station Elimination project, abandoned the sanitary sewer system within the above-described utility easement. The new 18" sanitary sewer that the City recently constructed is located outside said utility easement, however, within the Petitioners' property. Petitioners have agreed to grant the City of Fort Wayne the required easements for the new sewer with the condition that the City will vacate the above-described sewer utility easement. (Please see attached copy of authorization of Right-of-Entry Document).

Petitioners are the only owners of the real estate bordering both sides of the aforementioned utility easement and said easement is not necessary as ingress or egress to other properties whatsoever.

Furthermore, said utility easement is unopened and unimproved and no other person, firm or corporation is interested in or affected by the requested vacation.

The maintenance of said utility easement is not necessary or advantageous to the growth of the City of Fort Wayne and said vacation would be to the best interest of the City and the citizens thereof.

The petitioners file this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above-described.

WHEREFORE, petitioners pray that the above described utility easement be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 7th day of MAY, ^{1987 NHR}~~1986~~

Neil H. Kobi

Neil H. Kobi, Petitioner and
Adjacent Property Owner

1226 KORTE LANE
FORT WAYNE, INDIANA 46807
Petitioner's Address

Sabah Al Saud

Sabah Al Saud, Petitioner and
Adjacent Property Owner

5111 WINCHESTER RD. FT. WAYNE, 46814
Petitioner's Address

Water Pollution Control Engineering Department
of the City of Fort Wayne
Room 700 City-County Building, One Main Street
Fort Wayne, IN 46802 (219) 427-1143
AGENT'S NAME and ADDRESS

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

ORIGINAL

Utility Easement Vacation

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE _____

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE _____

A dedicated utility easement running along _____

_____ the south of Parker Cemetery.

D 9-87-07-15

EFFECT OF PASSAGE _____ Property is presently a dedicated utility easement.

Property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE _____ Property will remain a dedicated utility easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____)

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Utility Easement Vacation

DETAILS

Specific Location and/or Address

Easement runs along St. Joe Road south of its intersection with St. Joe Ctr Road & to the South of Parker Cemetery.

Reason for Project

Existing easement is not necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

The petitioner was not present at the hearing. It is noted however that the Water Pollution Control Department initiated this petition. As stated in the staff analysis this easement has been abandoned by the City. A new 18" sewer was constructed, located outside of this easement, on the petitioners property. The petitioner has agreed to grant a new easement for the city sewer, providing the city agree to vacate the existing easement.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

July 27, 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Neil Kobi & Sabah Al Saud
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

Of the 7 members present 6 voted in favor of the motion one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date June 19, 1987

Projected Completion or Occupancy

Date July 30, 1987

Fact Sheet Prepared by

Date July 30, 1987

Patricia Biancaniello
Reviewed by

Date

Gary Buto
Reference or Case Number

August 24, 1987

BILL NO. G-87-07-15

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
plan of the City Comprehensive ("Master") Plan by vacating a dedicated
utility easement

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~) Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

THOMAS C. HENRY

PAUL M. BURNS

B. A. Eisbart BEN A. EISBART

CONCURRED IN 4-22-87

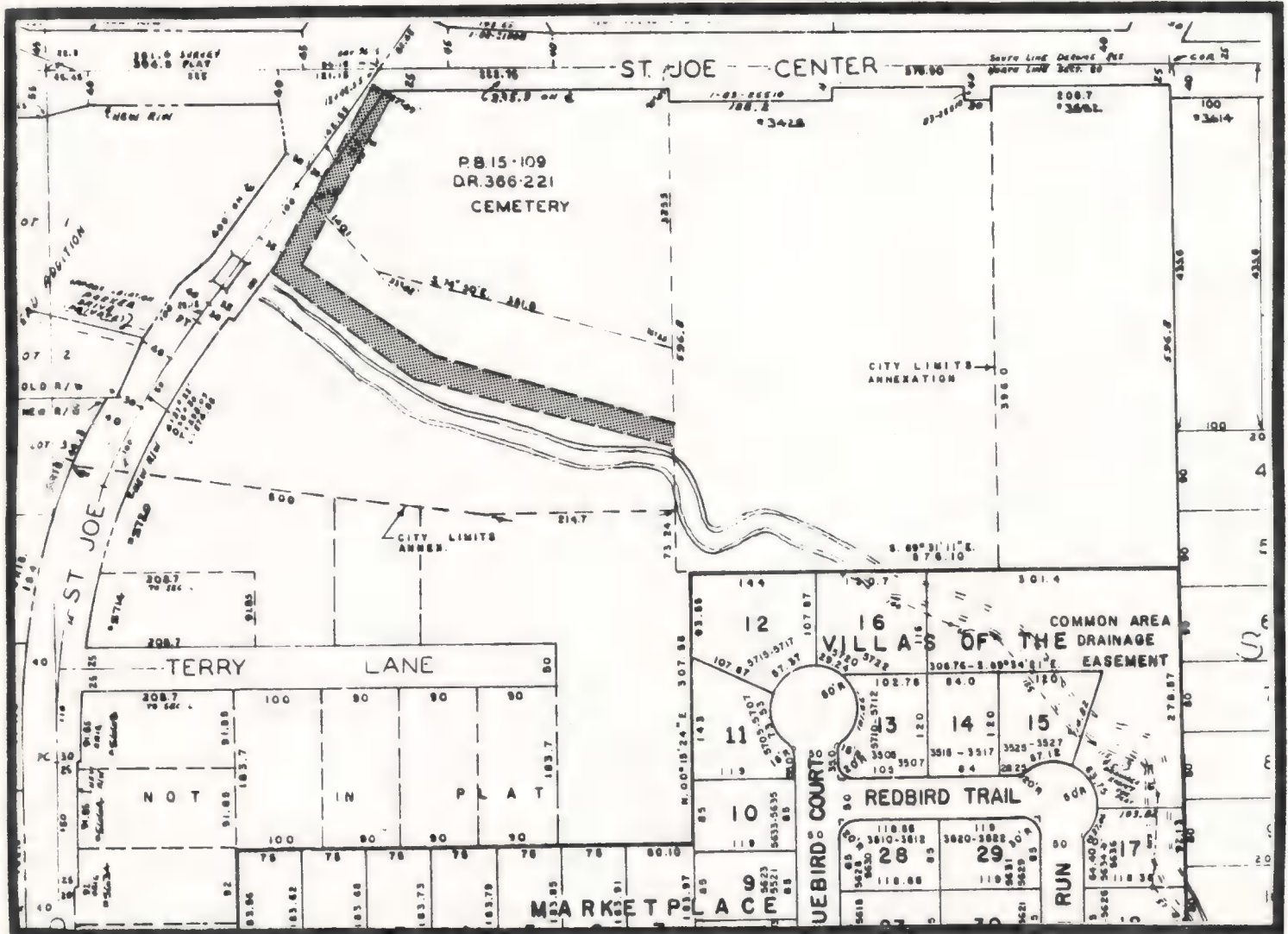
SANDRA E. KENNEDY
CITY CLERK

VACATION PETITION #287

A PETITION TO VACATE THE DESCRIBED UTILITY EASEMENT

MAP NO. R-34

COUNCILMANIC DISTRICT NO. 2



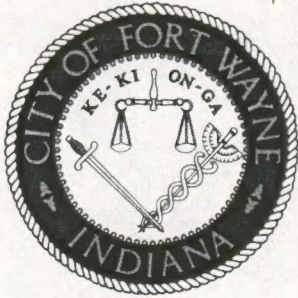
ZONING:

LAND USE:

SCALE: 1" = 200'

DATE: 6-29-87





The City of Fort Wayne

September 3, 1987

Ms. Marilyn Romine
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the date of
September 8, 1987, in both the News Sentinel and
Journal Gazette

RE: Legal notice for Common Council
of Fort Wayne, IN

Bill No. - G-87-07-15
Regarding easement

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-15)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, September 22, 1987, at 7:00 o'clock P.M., (EST) in Room 128, Common Council Conference Room, City-County Bldg., One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Easement runs along St. Joe Road south of its intersection with St. Joe Ctr Road & to the South of Parker Cemetery -- Existing easement is not necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City

Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.

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Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	3
Head number of lines	40
Body number of lines	3
Tail number of lines	46
Total number of lines in notice	

COMPUTATION OF CHARGES

46 lines, 1 columns wide equals 46 equivalent lines at .300¢	\$ 13.80
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra	2.00
TOTAL AMOUNT OF CLAIM	\$ 15.80

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Sept. 8 19 87

Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows:

9/8/87

Subscribed and sworn to me before this 8th day of September 19 87

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-15)
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Easement runs along St. Joe Road south of its intersection with St. Joe Cir. Road & to the South of Parker Cemetery - Existing easement is not necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City.
Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.
ALSO: A 14-foot wide utility easement in the Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana with a centerline described as follows:
Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 66 degrees 13 minutes East, 252.0 feet to a point; thence South 43 degrees 03 minutes East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.
All interested parties are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

3

Body number of lines

40

Tail number of lines

3

Total number of lines in notice

46

COMPUTATION OF CHARGES

46 lines, 1 columns wide equals 46 equivalent lines at .300¢ \$ 13.80
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (1.00 for each proof in excess of two) 2 extra 2.00

TOTAL AMOUNT OF CLAIM

\$ 15.80

DATA FOR COMPUTING COST

Width of single column 12.5 picas

Size of type 6 point

Number of insertions 1

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Sept. 8, 19 87

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, saysthat he/she is CLERK of theNEWS-SENTINELa DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, one time

which was duly published in said paper for the dates of publication being as follows:

9/8/87

Subscribed and sworn to me before this 8th day of September, 19 87

Shelley R. LaRue
Shelley R. LaRue Notary Public

My commission expires March 3, 1990

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-87-07-15)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, September 22, 1987, at 7:00 o'clock P.M., (EST) in Room 128, Common Council Conference Room, City-County Bldg., One Main Street, Fort Wayne, Indiana, more particularly described as follows:
Easement runs along St. Joe Road south of its intersection with St. Joe Ctr. Road & to the South of Parker Cemetery - Existing easement is not necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City.
Commencing at the Southwest corner of the Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.
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